

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19 CR 488 SRC/JMB
)	
LISA L. HURLEY,)	
)	
Defendant.)	

NOTICE TO THE COURT

COMES NOW the United States of America, by and through Salyer A. Fleming, the United States Attorney for the Eastern District of Missouri, and Thomas J. Mehan, Assistant United States Attorney for said district, and moves for leave of this Court to reopen the evidentiary hearing. The United States of America states as follows in support of this motion:

1. On June 9, 2020, defendant Lisa Hurley filed a motion to suppress evidence (Doc. # 46). On September 11, 2020, the United States filed its response in opposition (Doc. # 56). An evidentiary hearing was held on October 7, 2020 (Doc. # 64). A post-hearing brief was filed by the defendant on December 7, 2020 (Doc. # 74).

2. Prior to the United States' deadline for filing its post-hearing brief, the Court, *sua sponte*, informed the parties that it seeks guidance on a specific issue directed to the previously filed suppression motion.

3. On January 13, 2021, the Court held a status conference to further discuss the specific issue related to the lawful authority of officers to enter a portion of the premises to arrest

defendant (Doc. # 80). That same day, the defendant filed a notice citing selected portions of the evidentiary hearing transcript (Doc. # 81).

4. Based upon the foregoing and in light of the defendant's notice, the Government requests leave to reopen the hearing. The Government seeks to adduce further testimony to establish the record to address the additional issue raised by the Court.

WHEREFORE, for the forgoing reasons, the United States of America respectfully requests that this Court grant its motion and reopen the evidentiary hearing on defendant's motion to suppress evidence.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

/s/ Thomas J. Mehan
THOMAS J. MEHAN, #28958MO
Assistant United States Attorney

CERTIFICATE OF SERVICE

The above signed hereby certifies that a copy of the above was served via this Court's electronic filing system upon counsel of record on January 19, 2021.

/s/ Thomas J. Mehan
THOMAS J. MEHAN, #28958MO
Assistant United States Attorney